

REMARKS

Examiners Fournet and Stodola are thanked for the courtesy extended during the Office Interview on October 8, 2009.

The Interview Summary is believed to accurately reflect what was discussed during the Interview.

Reconsideration of the rejection of Claims 1-4, 10 and 11 under 35 U.S.C. §103(a) as being unpatentable over Iida et al. (U.S. Patent No. 6,443,502), in further view of Breaker (U.S. Patent No. 5,427,386), the rejection of Claim 5 under 35 U.S.C. §103(a) as being unpatentable over Iida et al. '502, in view of Breaker '386, as applied to Claims 1-4, 10 and 11 above, and in further view of Ekholm et al. (U.S. Patent No. 6,059,323), the rejection of Claim 6 under 35 U.S.C. §103(a) as being unpatentable over Iida et al. '502 in view of Breaker '386, as applied to Claims 1-4, 10 and 11 above, and in further view of Ekholm et al. '323 and Kakehi (U.S. Patent No. 5,934,680), the rejection of Claims 7-8 under 35 U.S.C. §103(a) as being unpatentable over Iida et al. '502 in view of Breaker '386, as applied to Claims 1-4, 10 and 11 above, and in further view of Ekholm et al. '323 and Kakehi '680 and Jacocks (U.S. Patent No. 2,202,492), and the rejection of Claims 9 and 12 under 35 U.S.C. §103(a) as being unpatentable over Iida et al. '502 in view of Breaker '386, as applied to Claims 1-4, 10 and 11 above, and in further view of Ekholm et al. '323 and Kakehi '680 and Morgan (U.S. Patent No. 5,460,459), is hereby requested.

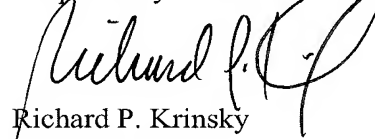
As stated in the Interview Summary, "Applicant's attorney has proposed amending claim 1 to further define the lamella ring as a thin flat lamella ring which overcomes the Iida prior art reference...". Claim 1 has been so amended. Support for such an Amendment is found, for example, in Merriam Webster's Dictionary (Tenth Edition) where the definition of lamella is "a thin flat scale, membrane, or layer...". Support is also found in the Specification at paragraphs [0008] and [0009] where it is disclosed that lamella rings are, for example, made of a thin steel band or of a different material. Whatever material is used, it will be heat and break resistant and suitable for protecting the downstream flat gasket against aggressive and high-temperature media. The service life of the flat gasket can thus be considerably increased. Applicant suggests that an intumescent (swelling as a result of heat exposure) rubber o-ring, as disclosed in Iida, should not be broadly considered as a thin, flat lamella ring, as stated in Claim 1. Therefore, reconsideration of the above rejections is respectfully requested. Claim 1 is considered to be in condition for allowance and such allowance is respectfully requested.

Claims 2-12 depend from Claim 1 and are considered to be allowable for at least the same reasons as Claim 1 and for their own limitations as well, and such is respectfully requested.

In view of the above, Claims 1-12 and the application are believed to be in condition for allowance and such is respectfully requested.

It is respectfully requested that, if necessary to effect a timely response, this paper be considered as a Petition for an Extension of Time sufficient to effect a timely response and shortages in other fees be charged, or any overpayment in fees be credited, to the Account of Barnes & Thornburg LLP, Deposit Account No. 02-1010 (41034/44881).

Respectfully submitted,



Richard P. Krinsky
Reg. No. 47,720
(202) 289-1313
BARNES & THORNBURG LLP
Suite 900
750 17th Street, N.W.
Washington, DC 20006-4607

Enclosure(s): Amendments to and Listing of the Claims
Amendments to the Drawings
Replacement Sheets (3) with Figures 1-8

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